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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JOHN ROBERTS DEMOS, JR.,

11 Petitioner,

12 v.

13 STATE OF WASHINGTON,

14 Respondent.

CASE NO. C21-0835JLR

ORDER ADOPTING REPORT
AND RECOMMENDATION

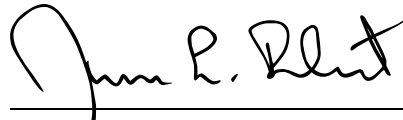
15 This matter comes before the court on the Report and Recommendation of United
16 States Magistrate Judge David W. Christel. (R&R (Dkt. # 2).) Petitioner John Roberts
17 Demos, Jr. has not submitted any objections but has filed a “Motion for Expedited
18 Review” that the court will liberally construe as objections. (*See* Mot. (Dkt. # 3).)
19 Having carefully reviewed the foregoing, all other relevant documents, and the governing
20 law, the court ADOPTS the Report and Recommendation (Dkt. # 2) and DIRECTS the
21 Clerk to administratively close this matter, as Mr. Demos has submitted no filing fee.

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1 A district court has jurisdiction to review a Magistrate Judge's report and
2 recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must
3 determine de novo any part of the magistrate judge's disposition that has been properly
4 objected to." *Id.* Magistrate Judge Christel recommends dismissal of Mr. Demos's 28
5 U.S.C. § 2241 habeas petition and denial of a certificate of appealability. (R&R at 1-2.)
6 Mr. Demos contends that "Washington is not a state, and never has been, therefore, [he]
7 should be allowed to proceed." (Mot. at 2.)

8 The court has independently reviewed Mr. Demos's arguments and agrees with
9 Magistrate Judge Christel's analysis and conclusions stated in the Report and
10 Recommendation. Accordingly, the court ADOPTS the Report and Recommendation in
11 its entirety. Because Mr. Demos has not submitted a filing fee, the court DIRECTS the
12 Clerk to administratively close this matter. Moreover, Mr. Demos may not proceed with
13 a second or successive habeas petition here unless and until the Ninth Circuit authorizes
14 its filing. *See* 28 U.S.C. § 2244(b)(3)(A). The court further DENIES a certificate of
15 appealability. Finally, the court DIRECTS the Clerk to send copies of this order to the
16 parties and to Magistrate Judge Christel.

17 Dated this 30th day of July, 2021.

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20 JAMES L. ROBART
21 United States District Judge
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